



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, FIRST SESSION

Vol. 141

WASHINGTON, TUESDAY, OCTOBER 31, 1995

No. 170

Senate

The Senate met at 9:30 a.m., and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rev. Lane Davenport, the Church of the Ascension and St. Agnes, Washington, DC.

PRAYER

The guest Chaplain, Rev. Lane Davenport, the Church of the Ascension and St. Agnes, Washington, DC, offered the following prayer:

O God, the fountain of all wisdom and graciousness, whose statutes are good and whose law is truth; we humbly beseech Thee, as for the people of the United States in general, so especially for their Senate; that Thou wouldst be pleased to direct and prosper all their consultations, to the advancement of Thy glory, the peace of the world, the safety, honor, and welfare of Thy people; that all things may be ordered and settled by their endeavors, upon the best and surest foundations, that peace and happiness, truth and courage, mercy and justice, religion and piety, may be established among us for all generations. These and all other necessities, for them, and for all mankind, we beg in Thy name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Idaho.

SCHEDULE

Mr. CRAIG. Mr. President, this morning the leaders' time is reserved and there will be a period for morning business until 10 a.m. with Senators permitted to speak for up to 10 minutes each. At 10 a.m., the Senate will begin consideration of the conference report

to accompany H.R. 2002, the Transportation appropriations bill.

The majority leader has announced that there will be no rollcall votes prior to 2:15 today. The Senate will recess from 12:30 to 2:15 for the weekly policy conferences to meet.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. KYL). Under the previous order, there will now be a period for the transaction of morning business.

The Senator from Nevada is recognized.

THE DEATH PENALTY

Mr. REID. Mr. President, almost 2 years ago, Senator BRYAN and I traveled with a mother to Arlington Cemetery. We traveled there because her son, just a month before we went to Arlington, had been gunned down on an interstate near Lovelock, NV. He thought a car was stalled, and as he approached the car to offer his assistance, the driver of the car came from the car and brutally murdered this Nevada highway patrolman. What the police officer, officer Carlos Borland, did not know was that the man driving the car was an escaped convict from North Carolina.

It was one of the saddest occasions in which I have ever participated. It was a cold winter day. The entire attendance at the funeral was Senator BRYAN, Senator REID, and the mother of this young man, her only child. She was very proud of him. He was an exemplary student in high school. He had had a great record in the military and chose as his life's profession that of a police officer. She was devastated.

Mr. President, the story does not end there, however, at least for his mother. A week ago, in a Reno newspaper, the Reno Gazette-Journal, wrote an article

on the status of various death row cases. Officer Borland's mother is quoted in this news article as saying, "My son gave his life for his State and his country. Give (Sonner)"—the man who killed her son—"the death penalty and he lives for 40 or 50 years. That's not a death penalty. They lie to us."

"We have a death penalty and it's being thwarted by murderers," the article goes on to say.

Mr. President, the reason I mention this is because Nevada has the highest per capita death row population in the entire Nation, more than double that of Texas. The State of Texas has recently executed its 100th inmate since 1977.

It does not matter whether you are for or against the death penalty. The fact is we are a country of laws and the laws should be carried out, and it is wrong what is happening throughout this Nation and in Nevada. People get the death penalty, and as the mother of this executed highway patrolman says, "My son gave his life for his State and his country. Give (Sonner)"—this is the murderer—"the death penalty and he lives for 40 or 50 years. That's not a death penalty. They lie to us." She goes on to say he will probably live longer than she will. Why is this going on?

Let me give you the death sentence appeal process in Nevada, and it is similar in a lot of different places. First, automatic first appeal before the Nevada Supreme Court. If it is denied, you have a petition for a rehearing before the Nevada Supreme Court. If that is denied, you have a petition before the U.S. Supreme Court. If that is denied, you have a postconviction relief petition in the trial court, and if that is denied you appeal again before the Nevada Supreme Court. If that is denied, you petition for rehearing before the Nevada Supreme Court. If that is denied, you go to the Supreme Court.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S16345